United Nations A/C.5/72/SR.28

General Assembly
Seventy-second session

Official Records

Distr.: General
24 January 2018

Original: English

Fifth Committee

Summary record of the 28th meeting
Held at Headquarters, New York, on Wednesday, 20 December 2017, at 10 a.m.

Chair: Mr. Tommo Monthe ..... (Cameroon)
Chair of the Advisory Committee on Administrative and Budgetary Questions: Mr. Ruiz Massieu

Contents

Agenda item 135: Programme budget for the biennium 2016–2017 (*continued*)

Second performance report on the programme budget for the biennium 2016–2017

Agenda item 136: Proposed programme budget for the biennium 2018–2019 (*continued*)

Revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its thirty-fourth, thirty-fifth and thirty-sixth sessions and its twenty-sixth and twenty-seventh special sessions

Programme budget implications of draft resolution A/C.1/72/L.54: Further practical measures for the prevention of an arms race in outer space

Programme budget implications of draft resolution A/C.1/72/L.45/Rev.1: Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament

Programme budget implications of draft resolution A/C.3/72/L.50/Rev.1: Twentieth anniversary and promotion of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

Programme budget implications of draft resolution A/C.3/72/L.49/Rev.1: Effects of terrorism on the enjoyment of human rights

Programme budget implications of draft resolution A/C.3/72/L.21/Rev.1: Rights of the child

This record is subject to correction.

Corrections should be sent as soon as possible, under the signature of a member of the delegation concerned, to the Chief of the Documents Management Section (dms@un.org), and incorporated in a copy of the record.

Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org/).

17-23003 (E)

Please recycle

Programme budget implications of draft resolution A/72/L.7: International legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction

Contingency fund: consolidated statement of programme budget implications and revised estimates

Revised estimates: effect of changes in rates of exchange and inflation

Agenda item 148: Financing of the International Residual Mechanism for Criminal Tribunals (*continued*)

The meeting was called to order at 10 a.m.

Agenda item 135: Programme budget for the biennium 2016–2017 (*continued*)

Second performance report on the programme budget for the biennium 2016–2017 (A/72/606 and A/72/647)

1. **Ms. Bartsiotas** (Controller), introducing the second performance report on the programme budget for the biennium 2016–2017 (A/72/606), said that the report provided an estimate of the anticipated level of expenditure under the programme budget for the biennium, taking into account actual expenditures for the first 22 months of the biennium, projected requirements for the last two months of 2017, and changes in inflation and exchange rates. The anticipated final level of expenditure amounted to $5,681.6 million, reflecting a net increase of $61.4 million compared with the revised appropriation of $5,620.2 million for the biennium. That difference was primarily attributable to commitments of $37.8 million authorized for unforeseen and extraordinary expenses following the approval of the revised appropriation; and to an increase of $30.3 million related to post incumbency and other changes, resulting from increased requirements of $58.5 million for posts and $24.3 million under other staff costs, and reduced net requirements of $52.2 million related to other non-post objects of expenditure. Those increases were partly offset by a decrease of $6.7 million attributable to favourable rates of exchange of the United States dollar in relation to, inter alia, the Swiss franc and the euro, and favourable inflation rates for post and non-post objects of expenditure. The presentation of the report had been enhanced with the inclusion of graphs illustrating the proposed changes under posts, other staff costs and other non-post objects of expenditure. Approval was sought to appropriate an additional amount of $37.8 million for the funding of unforeseen and extraordinary expenses and for the subventions to the Extraordinary Chambers in the Courts of Cambodia and to the Residual Special Court for Sierra Leone.

2. Following the issuance of the second performance report, the Secretary-General had approved an additional commitment authority to re-establish observation operations in the Syrian Arab Republic until 31 December 2017, representing an increase of $1.1 million over the provision of $24 million sought under General Assembly resolution 70/250 on unforeseen and extraordinary expenses. In addition, the biennium 2016–2017 was the first full biennium for which the implementation of approved budgets was reflected in the Umoja enterprise resource planning system, and because expenditures were recorded in Umoja by nature of expense, there were variances between the appropriation and the estimated final level of expenditure under some budget classes. However, such variances did not imply a change in the nature of the initially budgeted requirements.

3. Projected income for the biennium was estimated at $553.7 million, representing an increase of $14.5 million over the income estimates approved a year earlier. That difference reflected increases under income section 1, Income from staff assessment, income section 2, General income, and income section 3, Services to the public. Overall, the anticipated final level of expenditure and income for the biennium 2016–2017 reflected a net increase of $46.9 million, representing 1 per cent of the net revised appropriation and estimated income.

4. **Mr. Ruiz Massieu** (Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of the Advisory Committee (A/72/647), said that the Advisory Committee encouraged the Secretary-General to continue improving the presentation of performance reports, in particular by providing a more detailed analysis of overall expenditure trends over time. With regard to the practice of forward purchasing, whereby the Organization entered into agreements to purchase foreign currency on a future date at a predetermined exchange rate, the Advisory Committee recalled that the main advantage of using forward rates was the predictability that they provided to the budget process. It therefore stressed the need to adopt a consistent approach to setting such rates, including by establishing a fixed purchase date for entering into forward contracts. The Advisory Committee recommended that the General Assembly should approve the revised estimates under the expenditure sections and the related income estimates for the biennium 2016–2017.

Agenda item 136: Proposed programme budget for the biennium 2018–2019 (*continued*)

Revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its thirty-fourth, thirty-fifth and thirty-sixth sessions and its twenty-sixth and twenty-seventh special sessions (A/72/7/Add.35, A/72/602 and A/72/602/Add.1)

Programme budget implications of draft resolution A/C.1/72/L.54: Further practical measures for the prevention of an arms race in outer space (A/72/7/Add.38; A/C.5/72/11)

Programme budget implications of draft resolution A/C.1/72/L.45/Rev.1: Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament (A/72/7/Add.37; A/C.5/72/12)

Programme budget implications of draft resolution A/C.3/72/L.50/Rev.1: Twentieth anniversary and promotion of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (A/72/7/Add.41; A/C.5/72/14)

Programme budget implications of draft resolution A/C.3/72/L.49/Rev.1: Effects of terrorism on the enjoyment of human rights (A/72/7/Add.40; A/C.5/72/15)

Programme budget implications of draft resolution A/C.3/72/L.21/Rev.1: Rights of the child (A/72/7/Add.39; A/C.5/72/16)

Programme budget implications of draft resolution A/72/L.7: International legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (A/72/7/Add.42; A/C.5/72/18)

Contingency fund: consolidated statement of programme budget implications and revised estimates (A/72/7/Add.43; A/C.5/72/20)

Revised estimates: effect of changes in rates of exchange and inflation (A/72/7/Add.36 and A/72/646)

Agenda item 148: Financing of the International Residual Mechanism for Criminal Tribunals (*continued*) (A/72/7/Add.36 and A/72/641)

5 **Ms. Bartsiotas** (Controller), introducing the Secretary-General's reports on the revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its thirty-fourth, thirty-fifth and thirty-sixth sessions and its twenty-sixth and twenty-seventh special sessions (A/72/602 and A/72/602/Add.1), said that the Council had adopted 79 resolutions and decisions with financial implications at the five sessions in 2017, compared to 73 in 2016. In support of those resolutions and decisions, the Secretary-General requested approval of additional appropriations, representing charges against the contingency fund, of $21.7 million, comprising $2.8 million under section 2, General Assembly and Economic and Social Council affairs and conference management; $18.8 million under section 24, Human rights; $10,000 under section 28, Public information; $73,100 under section 29F, Administration, Geneva; and $17,000 under section 34, Safety and security, of the proposed programme budget for the biennium 2018–2019. He also requested approval of the establishment of three new P-3 posts under section 24 and of an additional appropriation in the amount of $52,800 under section 36, Staff assessment, to be offset by an equivalent amount under income section 1, Income from staff assessment.

6. Introducing the Secretary-General's statement of programme budget implications of draft resolution A/C.1/72/L.54: Further measures for the prevention of an arms race in outer space (A/C.5/72/11), she said that, under the draft resolution, the Secretary-General would be requested to establish a United Nations Group of Governmental Experts, with a membership of up to 25 Member States, to consider and make recommendations on substantial elements of an international legally binding instrument on the prevention of an arms race in outer space. The Group would hold two two-week sessions in Geneva in 2018 and 2019 and a two-day open-ended intersessional informal consultative meeting in New York in 2019. Implementation of the request would require additional resources in the amount of $994,300 to cover costs related to meeting servicing, documentation, technical services, consultancy and travel by representatives. Those requirements would be reflected under section 2, General Assembly and Economic and Social Council affairs and conference management, section 4, Disarmament, and section 29F, Administration, Geneva, of the proposed programme budget for 2018–2019, representing a charge against the contingency fund.

7. Introducing the Secretary-General's statement of programme budget implications of draft resolution A/C.1/72/L.45/Rev.1: Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament (A/C.5/72/12), she said that, under the draft resolution, the Assembly would request the Secretary-General to convene in New York, from 14 to 16 May 2018, a high-level international conference on nuclear disarmament, as well as a one-day organizational meeting prior to the conference. Implementation of the request would require additional resources in the amount of $250,000 to cover costs related to, inter alia, meeting servicing, documentation, webcasting, website production and maintenance services. Those requirements would be reflected under section 2, General Assembly and Economic and Social Council affairs and conference management, and section

4, Disarmament, of the proposed programme budget for 2018–2019 and would represent a charge against the contingency fund.

8. Introducing the Secretary-General's statement of programme budget implications of draft resolution A/C.3/72/L.50/Rev.1: Twentieth anniversary and promotion of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (A/C.5/72/14), she said that, under the draft resolution, the General Assembly would decide, inter alia, to request the Secretary-General to undertake, in cooperation with the Special Rapporteur on the situation of human rights defenders and in consultation with States and other United Nations actors, a comprehensive assessment and analysis of the ways in which the Office of the United Nations High Commissioner for Human Rights (OHCHR) could give due consideration to the Declaration. The conclusions and recommendations emanating from that analysis would be presented in a report to the Assembly at its seventy-third session. In order to implement the request, an additional appropriation in the amount of $146,000 was required to cover the cost of one general temporary assistance position at the P-4 level for six months, the cost of travel of three high-level international experts, and the production of pre-session documentation. Those requirements, comprising $32,200 under section 2, General Assembly and Economic and Social Council affairs and conference management, and $113,800 under section 24, Human rights, of the proposed programme budget for 2018–2019, would represent a charge against the contingency fund.

9. Introducing the Secretary-General's statement of programme budget implications of draft resolution A/C.3/72/L.49/Rev.1: Effects of terrorism on the enjoyment of human rights (A/C.5/72/15), she said that, under the draft resolution, the Secretary-General was requested to submit a report on the implementation of the resolution to the General Assembly at its seventy-third session. To implement the request, the Secretary-General proposed an additional appropriation of $80,500, which would be reflected under section 2, General Assembly and Economic and Social Council affairs and conference management, and section 24, Human rights, of the proposed programme budget for 2018–2019, representing a charge against the contingency fund.

10. Introducing the Secretary-General's statement of programme budget implications of draft resolution A/C.3/72/L.21/Rev.1: Rights of the child (A/C.5/72/16), she said that, under the draft resolution, the General Assembly would request the Special Representative of the Secretary-General for Children and Armed Conflict to increase her engagement with States, United Nations bodies and agencies, regional organizations and especially subregional organizations, and to increase public awareness activities, including by collecting, assessing and disseminating best practices and lessons learned, in accordance with existing mandates. Implementation of the request would entail additional resources in the amount of $671,800 to cover costs related to the establishment of two posts of Political Affairs Officer and related non-post requirements. Those resources would be reflected under section 1, Overall policymaking, direction and coordination, of the proposed programme budget for 2018–2019, representing a charge against the contingency fund.

11. Introducing the Secretary-General's statement of programme budget implications of draft resolution A/72/L.7: International legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (A/C.5/72/18), she said that, under the draft resolution, the Secretary-General would be requested to provide support for the convening of an intergovernmental conference to prepare the text of an international legally binding instrument under the Convention and to consider the related recommendations of the preparatory committee established pursuant to General Assembly resolution 69/292, with a view to developing the instrument as soon as possible. The conference would be held in New York during 2018–2020. In order to implement the request, the Secretary-General proposed additional resources in the amount of $2.2 million to cover costs related to, inter alia, meeting servicing, documentation, security and public information services. Those requirements would be reflected under section 2, General Assembly and Economic and Social Council affairs and conference management, section 28, Public information, and section 34, Safety and security, of the proposed programme budget for 2018–2019, representing a charge against the contingency fund. Furthermore, resource requirements for mandated activities to be carried out in 2020 would be included in the proposed programme budget for the biennium 2020–2021.

12. Introducing the Secretary-General's report on the contingency fund: consolidated statement of programme budget implications and revised estimates (A/C.5/72/20), she recalled that, in the context of the proposed programme budget outline for the biennium 2018–2019, the General Assembly had decided that the

level of the contingency fund should be set at $40.5 million dollars, or 0.75 per cent of the preliminary estimate for the biennium. Potential new charges against the fund presented in the report amounted to $41.3 million, reflecting the information available as at 15 December 2017. Since the issuance of the report, the Advisory Committee had made its recommendations on the proposals representing charges against the contingency fund for 2018–2019, and the Fifth Committee had made recommendations on the Secretary-General's proposal for the renovation of the North Building at the Economic Commission for Latin America and the Caribbean (A/72/367) and on the revised estimates relating to the Office of Counter-Terrorism (A/72/117). Those recommendations had reduced the potential charges to $39.4 million, resulting in a remaining balance of $1 million, which would be adjusted further to reflect the Fifth Committee's recommendations on the proposals under its consideration.

13. Introducing the reports of the Secretary-General on revised estimates: effect of changes in rates of exchange and inflation (A/72/646) and revised estimates for the International Residual Mechanism for Criminal Tribunals: effect of changes in rates of exchange and inflation (A/72/641), she said that the reports provided updated projections, as at December 2017, for inflation and the effect of the evolution of operational rates of exchange in 2017 on the proposed programme budget for the biennium 2018–2019 and the proposed budget for the Mechanism for 2018–2019. Taking into account the recommendations of the Advisory Committee that had been available at the time of the preparation of the reports, the requirements for the proposed programme budget would amount to $5.552 million and the requirements for the proposed budget for the International Residual Mechanism would amount to $232.7 million.

14. **Mr. Ruiz Massieu** (Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the Advisory Committee's report on the revised estimates resulting from resolutions and decisions adopted by the Human Rights Council (A/72/7/Add.35), said that the Advisory Committee recommended approval of the three proposed P-3 Human Rights Officer posts to support the activities mandated by the Council in its resolutions 34/3, 34/16 and 35/9. It maintained its recommendations against the 10 general temporary assistance positions requested to support mandated activities under Human Rights Council resolutions 34/22, 34/24, 34/25, 34/26 and 35/33, which it had previously made following its review of requests for authorization to enter into commitments in connection with those resolutions. The Advisory Committee also recommended reductions to the proposed requirements for travel, simultaneous interpretation, sound technicians and recording services. Subject to the recommendations and observations in its report (A/72/7/Add.35), the Advisory Committee recommended approval of the Secretary-General's proposals.

15. Introducing the Advisory Committee's report on the programme budget implications of draft resolution A/C.1/72/L.54: Further measures for the prevention of an arms race in outer space (A/72/7/Add.38), he said that the Advisory Committee recommended approval of resources for the services of one sound technician, instead of the two proposed by the Secretary-General, for the meetings of the proposed United Nations Group of Governmental Experts. The Advisory Committee had previously commented on the inconsistency of approaches with regard to operational and cost requirements for sound technicians, noting that those requirements should be included in the cost components for meetings support services. It also noted the need for transparency with respect to the estimated cost for simultaneous interpretation and requested the Secretary-General to provide details in that regard to the General Assembly at the time of its consideration of the matter.

16. Introducing the Advisory Committee's report on the programme budget implications of draft resolution A/C.1/72/L.45/Rev.1: Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament (A/72/7/Add.37), he said that the Advisory Committee's recommendations would result in a reduction of $13,800 in the additional resources requested by the Secretary-General. With regard to the resources requested for simultaneous interpretation during the proposed high-level international conference on disarmament, the Advisory Committee was of the view that the methodology applied to determine resource estimates for interpretation lacked clarity and consistency. In particular, it questioned the rationale for maintaining two parallel costing parameters, namely, a parameter based on a per assignment rate used before 2016 and another parameter based on a per day rate introduced in 2016, and trusted that more clarification in that regard would be provided to the General Assembly in the context of its consideration of the relevant statements of programme budget implications relating to the draft resolutions before the Assembly.

17. Introducing the Advisory Committee's report on the programme budget implications of draft resolution A/C.3/72/L.50/Rev.1: Twentieth anniversary and promotion of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of

Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (A/72/7/Add.41), he said that the Advisory Committee was of the view that one general temporary assistance position at the P-4 level for three months would suffice to perform, with the support of existing expert staff within OHCHR and other United Nations entities, the activities required in connection with the comprehensive analysis requested by the Secretary-General. It therefore recommended a corresponding reduction in the proposed resource requirements for the position.

18. Introducing the Advisory Committee's report on the programme budget implications of draft resolution A/C.3/72/L.49/Rev.1: Effects of terrorism on the enjoyment of human rights (A/72/7/Add.40), he said that the Advisory Committee recommended against the approval of the proposed resources for one general temporary assistance position at the P-4 level to conduct the work required in connection with the report requested in the draft resolution, as there were sufficient staffing resources within the Secretariat to perform that work, with the support of experts from among the membership of the Counter-Terrorism Implementation Task Force. As the Advisory Committee had been informed that the Secretary-General considered amounts of up to $39,000 for individual draft resolutions too minimal to justify requests for statements of programme budget implications, it recommended that the requirements proposed for documentation services under section 2 of the proposed programme budget should be absorbed within the resources to be approved for the biennium 2018–2019.

19. Introducing the Advisory Committee's report on the programme budget implications of draft resolution A/C.3/72/L.21/Rev.1: Rights of the child (A/72/7/Add.39), he said that the Advisory Committee recommended a 10 per cent reduction in the proposed resources for staff travel. It also recommended that a P-4 general temporary assistance position, instead of the proposed P-4 post, should be established to support the requested activities.

20. Introducing the Advisory Committee's report on the programme budget implications of draft resolution A/72/L.7: International legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (A/72/7/Add.42), he said that the Advisory Committee was not convinced of the need for the resources requested for overtime for conference room security officers covering late meetings of the proposed intergovernmental conference to develop an international legally binding instrument under the Convention, when no such meetings were envisaged in the draft resolution. It therefore recommended a reduction of $54,327 in the resources requested under section 34 of the proposed programme budget for 2018–2019.

21. In conclusion, the Advisory Committee recommended that the Fifth Committee should inform the General Assembly that, should it adopt the six draft resolutions, additional resource requirements in the amount of approximately $4.1 million would be required under the proposed programme budget for the biennium 2018–2019, which would require an additional appropriation to be approved by the Assembly and would represent a charge against the contingency fund.

22. Introducing the Advisory Committee's report on the contingency fund: consolidated statement of programme budget implications and revised estimates (A/72/7/Add.43), he said that an updated list of charges against the contingency fund, reflecting the recommendations of the Advisory Committee that had not been available at the time of the finalization of the Secretary-General's report (A/C.5/72/20), should be provided to the General Assembly. Taking into account the observations presented in its report (A/72/7/Add.43), the Advisory Committee recommended that the Assembly should consider the potential charges against the contingency fund related to the new and expanded mandates outlined by the Secretary-General, and offer him guidance accordingly.

23. Introducing the Advisory Committee's report on revised estimates: effect of changes in rates of exchange (A/72/7/Add.36), he said that, overall, the Advisory Committee had no objection to the revised estimates arising from the recosting of the effect of changes in rates of exchange and inflation. It nevertheless recommended against the proposed revision of the recosting methodology for the International Trade Centre, as it was not convinced by the justifications provided for the change.

24. With regard to the effect of changes in rates of exchange and inflation on the proposed budget for the International Residual Mechanism for Criminal Tribunals, the Advisory Committee recalled its related report (A/72/654), in which it recommended that the Secretary-General should be authorized to enter into commitments for the maintenance of the Mechanism for the period from 1 January to 30 June 2018 and should submit a revised budget proposal for the Mechanism for the biennium 2018–2019. Consequently, the Advisory

Committee did not recommend recosting of the proposed budget for the Mechanism.

25. **Ms. Silvera Flores** (Uruguay), speaking also on behalf of Argentina, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Panama, Paraguay and Peru, said that, as sponsors of draft resolution A/C.3/72/L.21/Rev.1, those delegations were of the view that the Office of the Special Representative of the Secretary-General for Children and Armed Conflict should be provided with the resources necessary to fulfil its critical mandate of protecting children affected by armed conflict and breaking the cycles of violence that perpetuated such conflict. Taking into account the recommendation of the Advisory Committee, they supported the approval of one or two new posts under the proposed programme budget for the Office for 2018–2019 in order to improve its work at the subregional level and promote dissemination of public information and the exchange of best practices among countries.

The meeting rose at 10.40 a.m.

United Nations A/C.5/72/SR.29

General Assembly
Seventy-second session

Official Records

Distr.: General
18 January 2018

Original: English

Fifth Committee

Summary record of the 29th meeting
Held at Headquarters, New York, on Saturday, 23 December 2017, at 3 p.m.

Chair: Mr. Tommo Monthe ..... (Cameroon)
Chair of the Advisory Committee on Administrative and Budgetary Questions: Mr. Ruiz Massieu

Contents

Agenda item 135: Programme budget for the biennium 2016–2017 (*continued*)

Agenda item 141: Human resources management (*continued*)

Agenda item 143: United Nations common system (*continued*)

Agenda item 146: Administration of justice at the United Nations (*continued*)

Agenda item 147: Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (*continued*)

Agenda item 148: Financing of the International Residual Mechanism for Criminal Tribunals (*continued*)

Agenda item 163: Financing of the African Union-United Nations Hybrid Operation in Darfur (*continued*)

Agenda item 165: Financing of the United Nations Mission for Justice Support in Haiti (*continued*)

Agenda item 136: Proposed programme budget for the biennium 2018–2019 (*continued*)

Programme budget implications relating to the proposed programme budget for the biennium 2018–2019

Draft report of the Fifth Committee

This record is subject to correction.

Corrections should be sent as soon as possible, under the signature of a member of the delegation concerned, to the Chief of the Documents Management Section (dms@un.org), and incorporated in a copy of the record.

Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org/).

18-00016 (E)

Please recycle

Agenda item 134: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Shifting the management paradigm in the United Nations

Questions deferred for future consideration

Completion of the work of the Fifth Committee at the main part of the seventy-second session of the General Assembly

The meeting was called to order at 11.50 p.m.

Agenda item 135: Programme budget for the biennium 2016–2017 (*continued*) (A/C.5/72/L.11)

Draft resolution A/C.5/72/L.11: Programme budget for the biennium 2016–2017

1. *Draft resolution* A/C.5/72/L.11 *was adopted.*

Agenda item 141: Human resources management (*continued*) (A/C.5/72/L.10)

Draft resolution A/C.5/72/L.10: Human resources management

2. *Draft resolution* A/C.5/72/L.10 *was adopted.*

Agenda item 143: United Nations common system (*continued*) (A/C.5/72/L.9)

Draft resolution A/C.5/72/L.9: United Nations common system

3. *Draft resolution* A/C.5/72/L.9 *was adopted.*

Agenda item 146: Administration of justice at the United Nations (*continued*) (A/C.5/72/L.8)

Draft resolution A/C.5/72/L.8: Administration of justice at the United Nations

4. *Draft resolution* A/C.5/72/L.8 *was adopted.*

Agenda item 147: Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (*continued*) (A/C.5/72/L.7)

Draft resolution A/C.5/72/L.7: Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

5. *Draft resolution* A/C.5/72/L.7 *was adopted.*

Agenda item 148: Financing of the International Residual Mechanism for Criminal Tribunals (*continued*) (A/C.5/72/L.12)

Draft resolution A/C.5/72/L.12: Financing of the International Residual Mechanism for Criminal Tribunals

6. *Draft resolution* A/C 5/72/L.12 *was adopted.*

Agenda item 163: Financing of the African Union-United Nations Hybrid Operation in Darfur (*continued*) (A/C.5/72/L.14)

Draft resolution A/C.5/72/L.14: Financing of the African Union-United Nations Hybrid Operation in Darfur

7. *Draft resolution* A/C.5/72/L.14 *was adopted.*

Agenda item 165: Financing of the United Nations Mission for Justice Support in Haiti (*continued*) (A/C.5/72/L.13)

Draft resolution A/C.5/72/L.13: Financing of the United Nations Mission for Justice Support in Haiti

8. *Draft resolution* A/C.5/72/L.13 *was adopted.*

Agenda item 136: Proposed programme budget for the biennium 2018–2019 (*continued*) (A/C.5/72/L.15)

Programme budget implications relating to the proposed programme budget for the biennium 2018-2019 (A/C.5/72/L.15)

Draft decision A/C.5/72/L.15: Programme budget implications relating to the proposed programme budget for the biennium 2018–2019

9. *Draft decision* A/C.5/72/L.15 *was adopted.*

10. **Mr. Khalizov** (Russian Federation) said that his delegation had made several comments during the Committee's consideration of the financial implications of the draft resolution in section F entitled "International legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction". Unfortunately, those observations had not been taken into account in the final text of the draft decision. While his delegation did not object to the adoption of the draft decision, it nevertheless felt compelled to distance itself from the consensus.

11. *The meeting was suspended at 12.10 a.m. on Sunday, 24 December 2017 and resumed at 12.55 a.m.*

Draft report of the Fifth Committee (A/C.5/72/L.21)

12. **The Chair** drew attention to the draft report of the Fifth Committee on the proposed programme budget for the biennium 2018–2019 (A/C.5/72/L.21), which described the actions taken by the Committee and contained its recommendations. He invited the Committee to consider the recommendations in part III.

Draft resolution I: Questions relating to the proposed programme budget for the biennium 2018–2019 (A/C.5/72/L.16)

13. *Draft resolution I was adopted.*

14. **Mr. Awad** (Syrian Arab Republic) said that, while his delegation had joined the consensus on the draft resolution, it had reservations concerning the inclusion in section 27, Humanitarian assistance, of financial resources for the United Nations Monitoring Mechanism for the Syrian Arab Republic. The large sums allocated would be better used to increase the proportion of assistance provided through international organizations working in cooperation with the Syrian Government. The existence of such mechanisms ran counter to the Charter, since they flagrantly violated the sovereignty and independence of States and constituted intervention in their domestic affairs.

Draft resolution II: Special subjects relating to the proposed programme budget for the biennium 2018-2019 (A/C.5/72/L.17)

15. **Ms. Bartsiotas** (Controller) said that paragraph 42 of draft resolution II should read "*Approves* the budgets in the amount of 408,490,000 United States dollars for the 34 special political missions authorized by the General Assembly and/or the Security Council, including the commitment authorities for UNAMA and UNAMI, and an amount of 686,900 dollars for the share of special political missions in the budget of the Regional Service Centre in Entebbe, Uganda, for the biennium 2018–2019" and paragraph 43 should read "*Also approves* a charge of 580,030,700 United States dollars, including an amount of 853,800 dollars for the Office of the Special Envoy of the Secretary-General on Myanmar, against the provision for special political missions proposed under section 3, Political affairs, of the proposed programme budget for the biennium 2018-2019".

16. **Ms. De Armas Bonchang** (Cuba) said, with regard to the Secretary-General's report on estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council under thematic cluster I: special and personal envoys and special advisers of the Secretary-General (A/72/371/Add.1), that while her delegation fully supported the mandate of the Special Adviser to the Secretary-General on the Prevention of Genocide, there was no legal mandate for the implementation of activities related to the responsibility to protect. The budget estimates and related narrative for the Special Adviser to the Secretary-General on the Responsibility to Protect should be removed from the budget document until the General Assembly took decisions on the concept, its implementation and scope, and other related matters.

17. She proposed that two new preambular paragraphs and two new operative paragraphs should be inserted in section XXII of draft resolution A/C.5/72/L.17. The first new preambular paragraph would read, "*Recalling* that the General Assembly has not decided on the concept of responsibility to protect, its scope, implications and possible means of implementation"; the second new preambular paragraph would read, "*Noting* that the estimates of thematic cluster I comprise narratives, functions, expected accomplishments, indicators of achievements, outputs, and other information related to the Special Adviser to the Secretary-General on the Responsibility to Protect". The first new operative paragraph would read, "*Decides* to delete all references to the activities and outputs related to the responsibility to protect, as contained in the strategic framework and the related narratives of the Office of the Special Adviser to the Secretary-General on the Prevention of Genocide"; the second new operative paragraph would read, "*Requests* the Secretary-General to issue a corrigendum to his report".

18. **Mr. Lipand** (Estonia), speaking on behalf of the European Union, requested a recorded vote on the proposed oral amendment.

Statements made in explanation of vote before the voting

19. **Mr. Escoto Gonzalez** (Nicaragua) said that it was inappropriate for the Committee to appropriate resources for the Special Adviser to the Secretary-General on the Responsibility to Protect and to include them with the resources for the Office of the Special Adviser on the Prevention of Genocide. There was no consensus in the General Assembly concerning the concept of the responsibility to protect. Therefore, his delegation would support the proposed oral amendment and urged other delegations to do likewise.

20. **Mr. Yazdani** (Islamic Republic of Iran) said that his delegation would support the proposed oral amendment.

21. **Mr. Vachon** (Canada), speaking also on behalf of Australia and New Zealand, said that, at the 2005 World Summit, world leaders had adopted by consensus a declaration that referred to the responsibility to protect. One element of the implementation of that declaration had been the establishment of the mandate of the Special Adviser to the Secretary-General on the Responsibility to Protect. The Assembly had reaffirmed its support for that mandate and approved related funding every year

thereafter. In repeatedly rejecting the oral amendment that was being proposed once again, the Committee had reflected its support for the role of the Special Advisor and acknowledged that the Committee's role was not to discuss political mandates but rather to address their budgetary and administrative aspects. The Assembly had reaffirmed broad cross-regional support for including the responsibility to protect in the agenda of its seventy-second session and would provide an appropriate forum for discussion of that subject. The three delegations for which he spoke were of the view that the Fifth Committee should focus on the areas within its purview, and therefore they encouraged all Member States to vote against the proposed oral amendment.

22. **Mr. Awad** (Syrian Arab Republic) said that the responsibility to protect was one of the most controversial subjects under discussion at the United Nations and the Assembly had not reached consensus on the definition, scope or effects of that principle, or how to implement it. His delegation considered the implementation of the concept a flagrant violation of the purposes and principles of the Charter, in particular the sovereignty and territorial integrity of States and non-interference in matters within their domestic jurisdiction. His delegation would therefore vote in favour of the oral amendment.

23. **Mr. Varankov** (Belarus) said that his delegation would support the oral amendment. The responsibility to protect must be given a legal framework and States must understand what lay behind it before the Assembly could discuss the details of the concept and its implementation. In the absence of consensus in the Assembly concerning the concept, his delegation encouraged other Member States to vote in favour of the proposed oral amendment.

24. **The Chair** said that a recorded vote had been requested.

25. *At the request of the representative of Estonia, a recorded vote was taken on the oral amendment proposed by Cuba.*

In favour:

Angola, Belarus, Bolivia (Plurinational State of), Burundi, Cuba, Democratic People's Republic of Korea, Egypt, Eritrea, Iran (Islamic Republic of), Nicaragua, Pakistan, Russian Federation, Sudan, Syrian Arab Republic, Tajikistan, Uzbekistan, Venezuela (Bolivarian Republic of).

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Bangladesh, Barbados, Belgium, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Chile, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Mongolia, Montenegro, Netherlands, New Zealand, Nigeria, Norway, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining:

Algeria, Antigua and Barbuda, Bahamas, Bahrain, Bhutan, Brunei Darussalam, Burkina Faso, China, Colombia, Djibouti, Dominican Republic, Ecuador, Equatorial Guinea, Ethiopia, India, Iraq, Jamaica, Kenya, Kuwait, Liberia, Libya, Malaysia, Mali, Morocco, Nepal, Oman, Philippines, Saint Kitts and Nevis, Saudi Arabia, Serbia, Sierra Leone, Singapore, South Africa, Sri Lanka, Thailand, Timor-Leste, Tunisia, United Arab Emirates, United Republic of Tanzania.

26. *The oral amendment proposed by Cuba was rejected by 71 votes to 17, with 39 abstentions.*

27. *Draft resolution II was adopted.*

Draft resolution III: Programme budget for the biennium 2018–2019 (A/C.5/72/L.18)

28. **The Chair** drew attention to draft resolution III. Section A dealt with the budget appropriations for the biennium 2018–2019, section B with the revised income estimates for the biennium 2018–2019 and section C with the financing of appropriations for the year 2018.

29. *Draft resolution III was adopted.*

Draft resolution IV: Unforeseen and extraordinary expenses for the biennium 2018–2019 (A/C.5/72/L.19)

30. *Draft resolution IV was adopted.*

Draft resolution V: Working Capital Fund for the biennium 2018–2019 (A/C.5/72/L.20)

31. *Draft resolution V was adopted.*

32. **The Chair** invited the Committee to adopt the draft report on the proposed programme budget for the biennium 2018–2019 (A/C.5/72/L.21).

33. *The draft report of the Fifth Committee was adopted.*

Agenda item 134: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Shifting the management paradigm in the United Nations (A/C.5/72/L.22)

Draft resolution A/C.5/72/L.22: Shifting the management paradigm in the United Nations

34. *Draft resolution* A/C.5/72/L.22 *was adopted.*

Questions deferred for future consideration (A/C.5/72/L.23)

Draft decision A/C.5/72/L.23: Questions deferred for future consideration

35. **The Chair** said that, with respect to the question of whether the item under section A of the draft decision should be considered at the resumed seventy-second session or the seventy-third session of the General Assembly, he took it that the Committee wished to decide on the matter following consultations to be conducted before the start of the first part of the resumed seventy-second session.

36. *It was so decided.*

37. *Draft decision* A/C.5/72/L.23 *was adopted.*

Completion of the work of the Fifth Committee at the main part of the seventy-second session of the General Assembly

38. **Ms. Pereira Sotomayor** (Ecuador), speaking on behalf of the Group of 77 and China, said that the Group had worked to ensure an adequate level of resources for the programme budget for the biennium 2018–2019 and for the full implementation of all mandated programmes and activities. Member States must provide the United Nations with the resources needed to perform its role as the key enabler of the development agenda. Strengthening the development pillar remained a priority for the Group.

39. She welcomed the Secretary-General's commitment to management reform, continued consultation with the General Assembly concerning his reform initiatives and the intergovernmental processes enshrined in the Charter and the Assembly's resolutions. An effective and efficient United Nations was key to the pursuit of a more just and equitable international order; management reform was aimed at strengthening the Organization's ability to implement its mandates fully and effectively, particularly in the field.

40. The timely submission of documentation to the Committee remained a matter of concern to the Group. The submission of some documents late in the session had increased the difficulties faced by the Committee in doing its work.

41. **Mr. Burity** (Angola), speaking on behalf of the Group of African States, welcomed the Committee's successful conclusion of its work in a spirit of goodwill, despite the challenges it had faced owing to the late issuance of documentation and the resulting time pressures.

42. **Ms. Riley** (Barbados), speaking on behalf of the Caribbean Community, said that the Community was concerned about the delay in the issuance of documents, which prevented the Committee from fulfilling its responsibilities in the prescribed timeframe. She hoped that the situation would improve in future sessions and acknowledged the Committee's commitment to making every effort to achieve consensus in decision-making. In considering the proposed programme budget for 2018-2019, the Committee had reaffirmed the importance of the SIDS Accelerated Modalities of Action (SAMOA) Pathway and the 2030 Agenda for Sustainable Development and had continued its support for issues of great importance for small island development States. She welcomed the provision of an essential impetus for the capital project at the Economic Commission for Latin America and the Caribbean.

43. While the Community welcomed the flexibility and compromise shown by delegations during the negotiations, it noted with concern the significant number of proposals that had sought to impose arbitrary reductions in the Organization's development pillar. Those proposals had targeted post and non-post resources for capacity-building initiatives and programmatic activities that supported developing countries, including small island developing States. Adequate development support should be provided to the entities, agencies and programmes of the United Nations to ensure the successful implementation of the mandates approved by the Member States.

44. It was disappointing that the Committee had not been able to complete its consideration of the proposed regional restructuring of the Office of the United Nations High Commissioner for Human Rights at the current session.

45. The Community expressed its support for the United Nations Mission for Justice Support in Haiti (MINUJUSTH) and expected that the Secretary-General, having proposed a pragmatic and economical budget for the Mission, would ensure the timely and full implementation of the Mission's mandate.

46. The Community had joined the consensus on the resolution regarding the Secretary-General's proposals for shifting the management paradigm, reflecting support for the management reform process aimed at creating an effective, efficient, fit-for-purpose Organization, and looked forward to considering the Secretary-General's comprehensive report on that matter.

47. **Ms. Aşık** (Turkey), speaking also on behalf of Australia, Indonesia, Mexico and the Republic of Korea, said that the Committee's decisions would ensure that the Organization would have the necessary resources to achieve the mandates given to it by the Member States. She welcomed the support shown for the Secretary-General's vision and his determination to move forward with management reform. Member States should remain diligent and reform should be carried out in a constructive and measured manner so that the United Nations delivered more effectively while building trust with Governments and people around the world through greater accountability and transparency.

48. **Mr. De Preter** (Observer for the European Union), speaking on behalf of the States members of the European Union, said that the Committee had made important progress by adopting resolutions on the Organization's administration and the resources required for the next biennium. The States members of the European Union endorsed the Secretary-General's vision for enhancing the management of the United Nations and looked forward to receiving his comprehensive report on the matter and the results of the decision to change the programme budget cycle.

49. **Mr. Hoshino** (Japan) said that the Committee had reached agreement on many important matters thanks to great efforts and a spirit of compromise. The consensus reached on management reform would enable the Secretary-General to act on his commitment to lead that initiative, which would underpin other reforms of the Organization aimed at achieving more effective and efficient delivery of its mandates while maintaining strict adherence to budgetary discipline.

50. The Fifth Committee might itself require reform, as the late introduction of documents, in some cases only days before the end of the session, had left only a short time for Member States to consider items. The Committee's working methods should be adjusted in order to increase efficiency, for example, by setting a deadline for the introduction of official documents around the mid-point of the session, even for items of a time-bound nature.

51. **Mr. Fu** Daopeng (China) said that the Committee had completed its arduous work thanks to the flexibility demonstrated during its consultations. The decisions taken, including on management reform and the programme budget for the biennium 2018–2019, had laid a solid foundation for the smooth functioning of the Organization over the next two years.

52. It was regrettable that there had been delays in the submission of documents, which affected the consideration of items. His delegation had grave concerns about the issue and requested the Bureau to take effective measures to improve the situation and adopt a more flexible approach in responding to a changing situation and new challenges.

53. **Mr. Feldman** (Brazil) said that his delegation welcomed the Committee's historic decision on management reform and the Secretary-General's commitment to improve the Organization's ability to deliver on its mandates. That reform was expected to improve the implementation of mandates in all the Organization's areas of activity, including the development pillar and the Sustainable Development Goals.

54. His delegation was committed to budgetary discipline and welcomed the adoption of the annual budget cycle, while also attaching importance to the oversight system based on Article 17 of the Charter. He applauded the Secretary-General's vision for management reform and his commitment to the intergovernmental process enshrined in the Charter and General Assembly resolutions; the Organization would achieve better results by following sound processes.

55. **Mr. Gohar** (Pakistan) said that the Committee had just adopted resolutions on many important agenda items, including an important shift to a one-year budget cycle. There was an urgent need for reform that would make the United Nations more responsive at a time when the scope of its activities was broadening quickly. Management reform would make for a more effective Organization able to deliver on its mandates. Consultation with Member States would be crucial as the reform process moved forward; the timing of the introduction of the Secretary-General's comprehensive report on that subject must be carefully planned in order to give the Committee ample time for its deliberations.

56. **Mr. Velázquez Castillo** (Mexico) said that his delegation welcomed the approval of the proposed programme budget for the biennium 2018–2019 and financing for special political missions, several capital projects, the Umoja enterprise resource planning system and the United Nations pension system. He welcomed the spirit of cooperation shown by Member States in approving resources for the United Nations Verification Mission in Colombia and MINUJUSTH to ensure the

pursuit of peace in the region of Latin America and the Caribbean. The adoption of a resolution on management reform was also noteworthy, indicating the Assembly's support for the Secretary-General's commitment to improving the functioning of the United Nations.

57. **Ms. Norman-Chalet** (United States of America) said that the current session had been an inflexion point for the Organization during which the Committee members had demonstrated their commitment to budgetary discipline and reform. An important step had been taken towards putting the Organization on a sound and sustainable fiscal path, with an approved budget level of $5.396 billion, a reduction from the level of resources for the biennium 2016–2017. That decision represented an effort to continue finding efficiencies and eliminating redundancies across all parts of the budget. Special political missions had been provided with funding that would advance the political process in Yemen, Colombia, Afghanistan and elsewhere. The budgets of peacekeeping missions in Haiti and Darfur had been adjusted following a review of their mandates.

58. The Committee had endorsed the Secretary-General's vision for management reform and had taken steps to simplify the budget process that would enable more prudent management and accountability. It had also acknowledged the importance of fully implementing current reform efforts such as the implementation of Umoja and flexible workplace strategies. The Committee had examined the United Nations oversight structures whose purpose was to promote accountability and prevent fraud and corruption. It had bolstered the independence of the Office of Internal Oversight Services and the internal justice system, and had called for continued review of the whistle-blower protection policy. Lastly, the Committee had unanimously affirmed the United Nations common system and the mandate of the International Civil Service Commission to govern staff compensation, including through recommendations to lower or raise benefits as required. All Committee members wanted to see the United Nations at its best and to help it effectively respond to the complex challenges of the time.

59. **Ms. Anselmina** (Paraguay) paid tribute to the hard work of the Committee members and the spirit of cooperation that had reigned during their deliberations.

60. **The Chair** declared that the Committee had completed its work at the main part of the seventy-second session of the General Assembly.

The meeting rose at 2.30 a.m. on Sunday, 24 December 2017.